

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

Angel Enrique GUTIERREZ,
Defendant.

Magistrate Case No.: **'08 MJ 8365**
COMPLAINT FOR VIOLATION OF
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

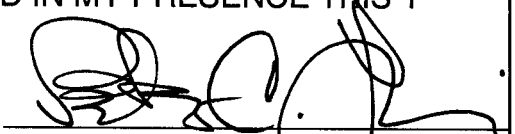
The undersigned complainant being duly sworn states:

On or about April 30, 2008, within the Southern District of California, defendant Angel Enrique GUTIERREZ did knowingly and intentionally import approximately 8.84 kilograms (19.45 pounds) of methamphetamine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
Immigration and Customs
Enforcement

SWORN TO ME BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 1st
DAY OF MAY 2008.


Peter C Lewis
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Angel Enrique GUTIERREZ

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Behm.

7 On April 30, 2008, at approximately 0811 hours, Angel Enrique GUTIERREZ
8 entered the United States at the Calexico, California, West, Port of Entry. GUTIERREZ
9 was the driver and sole occupant of a 1994 Ford Mustang.

10 At primary inspection, U.S. Customs and Border Protection Officer (CBPO) V.
11 Fonseca received a negative oral Customs declaration. The primary inspector referred
12 GUTIERREZ and the vehicle to secondary for a closer examination.

13 In the secondary lot CBPO S. Barela utilized his narcotic detector dog on the
14 vehicle. The dog alerted to the rear tire well.

15 A subsequent inspection of the vehicle revealed several packages inside the rear
16 quarter panels. One of the packages was probed by CBPO Negron and a sample of a
17 white powdery substance was obtained, which field tested positive for
18 methamphetamine. The packages had a combined net weight of approximately 8.84
19 kilograms (19.45 pounds).

20 GUTIERREZ was placed under arrest. SA Behm advised GUTIERREZ of his
21 Miranda Rights, which he acknowledged and waived. GUTIERREZ stated he was to be
22 paid \$2,500.00 for smuggling narcotics into the United States.